

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

SCOTT LEE DOTY,

Case No. 3:18-cv-00894-MC

Plaintiff,

ORDER

v.

ELLEN ROSENBLUM, Oregon  
Attorney General,

Defendant.

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MCSHANE, District Judge:

Plaintiff, a Washington inmate appearing pro se, files this civil action and applies to proceed in forma pauperis. Review of the application reveals that plaintiff is unable to afford the fees of this action. However, plaintiff's complaint is deficient and must be dismissed.

Federal law authorizes federal courts to review cases filed in forma pauperis to determine if a claim is either "frivolous or malicious" or "fails to state a claim on which relief may be granted." 28 U.S.C. § 1915(e)(2)(B). In federal court, dismissal of a pro se complaint for failure to state a claim "is proper only if it is clear that the plaintiff cannot prove any set of facts in support of the claim that would entitle him to relief." *Watison v. Carter*, 668 F.3d 1108, 1112

(9th Cir. 2012). The court must construe pro se pleadings liberally and afford the plaintiff “the benefit of any doubt.” *Hebbe v. Pliler*, 627 F.3d 338, 342 (9th Cir. 2010) (citation omitted).

“Unless it is absolutely clear that no amendment can cure” defects in the complaint, “a pro se litigant is entitled to notice of the complaint's deficiencies and an opportunity to amend prior to dismissal of the action.” *Lucas v. Dep’t of Corr.*, 66 F.3d 245, 248 (9th Cir. 1995) (per curiam).

Plaintiff, identifying himself as a “Third Party Intervener [sic],” brings suit against the Oregon Attorney General. Plaintiff alleges that she failed to respond to plaintiff’s “conditional acceptance for Value Proof of Claim” seeking the “status of monetary conditions within the State of Oregon to pay debts at law, jurisdiction and other matters, constituting agreement.” (ECF No. 2 at 1, 3, 5) Plaintiff’s pleading is nothing more than legal gibberish that raises frivolous arguments and fails to state a cognizable claim under federal law. No amendment can cure these deficiencies.

Accordingly, this action is DISMISSED.

IT IS SO ORDERED.

DATED this 12<sup>th</sup> day of June, 2018.

/s Michael J. McShane  
Michael McShane  
United States District Judge